

SEC. 2. CANADIAN MUNICIPAL SOLID WASTE.

(a) IN GENERAL.—Subtitle D of the Solid Waste Disposal Act (42 U.S.C. 6941 et seq.) is amended by adding at the end the following:

“SEC. 4011. CANADIAN MUNICIPAL SOLID WASTE.

“(a) DEFINITIONS.—In this section:

“(1) AGREEMENT.—The term ‘Agreement’ means—

“(A) the Agreement Concerning the Transboundary Movement of Hazardous Waste between the United States and Canada, signed at Ottawa on October 28, 1986 (TIAS 11099) and amended on November 25, 1992; and

“(B) any regulations promulgated to implement and enforce that Agreement.

“(2) CANADIAN MUNICIPAL SOLID WASTE.—The term ‘Canadian municipal solid waste’ means municipal solid waste that is generated in Canada.

“(3) MUNICIPAL SOLID WASTE.—

“(A) IN GENERAL.—The term ‘municipal solid waste’ means—

“(i) material discarded for disposal by—

“(I) households (including single and multifamily residences); and

“(II) public lodgings such as hotels and motels; and

“(ii) material discarded for disposal that was generated by commercial, institutional, and industrial sources, to the extent that the material—

“(I)(aa) is essentially the same as material described in clause (i); or

“(bb) is collected and disposed of with material described in clause (i) as part of a normal municipal solid waste collection service; and

“(II) is not subject to regulation under subtitle C.

“(B) INCLUSIONS.—The term ‘municipal solid waste’ includes—

“(i) appliances;

“(ii) clothing;

“(iii) consumer product packaging;

“(iv) cosmetics;

“(v) debris resulting from construction, remodeling, repair, or demolition of a structure;

“(vi) disposable diapers;

“(vii) food containers made of glass or metal;

“(viii) food waste;

“(ix) household hazardous waste;

“(x) office supplies;

“(xi) paper; and

“(xii) yard waste.

“(C) EXCLUSIONS.—The term ‘municipal solid waste’ does not include—

“(i) solid waste identified or listed as a hazardous waste under section 3001, except for household hazardous waste;

“(ii) solid waste, including contaminated soil and debris, resulting from—

“(I) a response action taken under section 104 or 106 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604, 9606);

“(II) a response action taken under a State law with authorities comparable to the authorities contained in either of those sections; or

“(III) a corrective action taken under this Act;

“(iii) recyclable material—

“(I) that has been separated, at the source of the material, from waste destined for disposal; or

“(II) that has been managed separately from waste destined for disposal, including scrap rubber to be used as a fuel source;

“(iv) a material or product returned from a dispenser or distributor to the manufacturer or an agent of the manufacturer for credit, evaluation, and possible potential reuse;

“(v) solid waste that is—

“(I) generated by an industrial facility; and

“(II) transported for the purpose of treatment, storage, or disposal to a facility (which facility is in compliance with applicable State and local land use and zoning laws and regulations) or facility unit—

“(aa) that is owned or operated by the generator of the waste;

“(bb) that is located on property owned by the generator of the waste or a company with which the generator is affiliated; or

“(cc) the capacity of which is contractually dedicated exclusively to a specific generator;

“(vi) medical waste that is segregated from or not mixed with solid waste;

“(vii) sewage sludge or residuals from a sewage treatment plant;

“(viii) combustion ash generated by a resource recovery facility or municipal incinerator; or

“(ix) waste from a manufacturing or processing (including pollution control) operation that is not essentially the same as waste normally generated by households.

“(b) BAN ON CANADIAN MUNICIPAL SOLID WASTE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), until the date on which the Administrator promulgates regulations to implement and enforce the Agreement (including notice and consent provisions of the Agreement), no person may import into any State, and no solid waste management facility may accept, Canadian municipal solid waste for the purpose of disposal or incineration of the Canadian municipal solid waste.

“(2) ELECTION BY GOVERNOR.—The Governor of a State may elect to opt out of the ban under paragraph (1), and consent to the importation and acceptance by the State of Canadian municipal solid waste before the date specified in that paragraph, if the Governor submits to the Administrator a notice of that election by the Governor.

“(c) AUTHORITY OF ADMINISTRATOR.—

“(1) IN GENERAL.—Beginning immediately after the date of enactment of this section, the Administrator shall—

“(A) perform the functions of the Designated Authority of the United States described in the Agreement with respect to the importation and exportation of municipal solid waste under the Agreement; and

“(B) implement and enforce the Agreement (including notice and consent provisions of the Agreement).

“(2) CONSENT TO IMPORTATION.—In considering whether to consent to the importation of Canadian municipal solid waste under article 3(c) of the Agreement, the Administrator shall—

“(A) obtain the consent of each State into which the Canadian municipal solid waste is to be imported; and

“(B) consider the impact of the importation on homeland security, public health, and the environment.”

(b) CONFORMING AMENDMENT.—The table of contents of the Solid Waste Disposal Act (42 U.S.C. prec. 6901) is amended by adding after the item relating to section 4010 the following:

“Sec. 4011. Canadian municipal solid waste.”

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 55—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. SNOWE (for herself and Mr. KERRY) submitted the following resolution; which was referred to the Com-

mittee on Small Business and Entrepreneurship:

S. RES. 55

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with jurisdiction under rules XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Small Business and Entrepreneurship is authorized from March 1, 2003, through September 30, 2003, and October 1, 2003 through September 30, 2004, and October 1, 2004 through February 28, 2005, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department of agency.

SEC. 2. (a) The expenses of the committee for the period March 1, 2003, through September 30, 2003, under this resolution shall not exceed \$1,215,913, of which amount (1) not to exceed \$10,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$10,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(i) of the Legislative Reorganization Act of 1946).

(b) For the period of October 1, 2003, through September 30, 2004, expenses of the committee under this resolution shall not exceed \$2,139,332, of which amount (1) not to exceed \$10,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 292(i) of the Legislative Reorganization Act of 1946, as amended) and (2) not to exceed \$10,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period of October 1, 2004 through February 28, 2005, expenses of the committee under this resolution shall not exceed \$911,668, of which amount (1) not to exceed \$10,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$10,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee may report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, not later than February 28, 2003.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationary supplies purchased through the Keeper of the Stationary, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the

Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording Photographic Services, or (7) for payment of franked mail cost by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2003, through September 30, 2003, and October 1, 2003, through September 30, 2004, and October 1, 2004, through February 28, 2005, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations".

SENATE RESOLUTION 56—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON THE BUDGET

Mr. NICKLES submitted the following resolution; from the Committee on the Budget; which was referred to the Committee on Rules and Administration:

S. RES. 56

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such Rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on the Budget is authorized from March 1, 2003, through September 30, 2003; October 1, 2003, through September 30, 2004; and October 1, 2004, through February 28, 2005, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. (a) The expenses of the committee for the period March 1, 2003, through September 30, 2003, under this resolution shall not exceed \$3,136,108, of which amount (1) not to exceed \$40,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946), and (2) not to exceed \$4,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2003, through September 30, 2004, expenses of the committee under this resolution shall not exceed \$5,522,410, of which amount (1) not to exceed \$40,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946), and (2) not to exceed \$4,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2004, through February 28, 2005, expenses of the committee under this resolution shall not exceed \$2,355,010, of which amount (1) not to exceed \$40,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946), and (2) not to exceed \$4,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2005, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2003, through September 30, 2003; October 1, 2003 through September 30, 2004; and October 1, 2004, through February 28, 2005, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. KYL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, February 12, 2003, at 9:30 a.m., in open and closed session to receive testimony on current and future worldwide threats to the National Security of the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. KYL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and transportation and the House Subcommittee on Science and Space be authorized to meet on Wednesday, February 12, 2003, at 9:30 a.m. on the *Challenger* Space Shuttle in Russell SR-325.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. KYL. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Wednesday, February 12, 2003 at 9:30 a.m. to conduct a business meeting regarding S. 195, Underground Storage Tank Compliance Act of 2003; Several Committee Resolutions on GSA Prospectuses; and Committee Funding Resolution.

The meeting will be held in SD 406.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. KYL. Mr. President, I ask unanimous consent that the Committee on

Finance be authorized to meet during the session on Wednesday, February 12, 2003, at 9:30 a.m., to hear testimony on Examination of Proposals for Economic Growth and Job Creation: Incentives for Investment.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. KYL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, February 12, 2003 at 9:30 a.m. to hold a Hearing on The Reconstruction of Afghanistan: An Update.

AGENDA

Witnesses: Panel 1: The Hon. David T. Johnson, Coordinator for Afghanistan Assistance, Department of State, Washington, DC.

The Hon. Dr. Peter W. Rodman, Assistant Secretary of Defense for International Security Affairs, Department of Defense, Washington, DC.

Panel 2: The Hon. Ishaq Shahryar, Ambassador of Afghanistan to the United States, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. KYL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet in Executive Session during the session of the Senate on Wednesday, February 12, 2003.

The following agenda will be considered:

AGENDA

Adopting sub-committee memberships
Adopting committee rules
S.____, Keeping Children and Families Safe Act of 2003 (CAPTA reauthorization)
S.____, NIH Foundation
S. 239, Trauma Care
S.____, Birth Defects
S.____, Animal Drug User Fee Act

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. KYL. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, February 12, 2003, at 10:30 a.m. in Room 485 of the Russell Senate Office Building to conduct a CONFIRMATION HEARING on the President's nomination of Mr. Ross O. Swimmer to be Special Trustee for American Indians at the U.S. Department of the Interior.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. KYL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a Judicial Nominations hearing on Wednesday, February 12, 2003 in Dirksen Room 226 at 9:30 a.m.

TENTATIVE AGENDA

PANEL I

The Honorable Richard C. Shelby United States Senator (R-AL); The Honorable Jeff Sessions United States Senator (R-AL); The